

DEC 22 2005

PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 800**Complete if Known**

| | |
|----------------------|-----------------------|
| Application Number | 10/616,558 |
| Filing Date | July 10, 2003 |
| First Named Inventor | Jeffrey A. Sell et al |
| Examiner Name | Leonid M. Fastovsky |
| Art Unit | 3742 |
| Attorney Docket No. | GP-302454 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-2091 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| | | | | | | |
|--------------------------|---------------------|-----------------|----------------------|----------------------------------|-----------------|----------------------|
| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
| _____ - 20 or HP = _____ | x _____ | = _____ | | | | |

HP = highest number of total claims paid for, if greater than 20

| | | | |
|-----------------------|---------------------|-----------------|----------------------|
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| 6 _____ - 3 or HP = 3 | x 200 | = 600 | |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|---------------------|---------------------|---|-----------------|----------------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| _____ - 100 = _____ | / 50 = _____ | (round up to a whole number) x _____ | = _____ | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

SUBMITTED BY

Signature

*John A. Fisher*Registration No. 28505
(Attorney/Agent)

Telephone (480) 385-5060

Name (Print/Type)

John A. Fisher

Date 12/22/05

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

INGRASSIA FISHER & LORENZ, P.C.

7150 E. CAMELBACK, SUITE 325

SCOTTSDALE, ARIZONA 85251

Telephone: (480) 385-5060

Facsimile: (480) 385-5061

RECEIVED
CENTRAL FAX CENTER

DEC 22 2005

FACSIMILE TRANSMITTAL SHEET

| | |
|---------------|---|
| TO: | FROM: |
| | John A. Fisher (Reg. 28,505) <i>JAF</i> |
| COMPANY: | DATE: |
| USPTO | DECEMBER 22, 2005 |
| FAX NUMBER: | TOTAL NO. OF PAGES INCLUDING COVER: |
| 571-273-8300 | 13 |
| PHONE NUMBER: | SENDER'S REFERENCE NUMBER: |
| | GP-302454 SEL (003.0063) |
| RE: | REFERENCE NUMBER: |
| Response | 10/616,558 |

NOTES/COMMENTS:

FORMAL COMMUNICATION
INTENDED FOR ENTRY

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE. THANK YOU.

Appl. No. 10/616,558
Reply to Office action of November 3, 2005

RECEIVED
CENTRAL FAX CENTER

DEC 22 2005

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/616,558 Confirmation No. 2802
Applicant : Jeffrey A. Sell et al.
Filed : July 10, 2003
TC/A.U. : 3742
Examiner : Leonid M. Fastovsky
Docket No. : GP-302454
Customer No. :

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

on 12/22/05

Signature: _____

John A. Fisher
John A. Fisher

RESPONSE PURSUANT TO 37 C.F.R. § 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 3, 2005 relating to the above identified application, please enter the amendment and consider the remarks presented below.

Pending claims are listed beginning on page 2 of this response.

Remarks begin on page 6 of this response.

12/27/2005 EFLORES 00000051 502091 10616558

01 FC:1201 600.00 DA